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VIA ECF

The Honorable Rukhsanah L. Singh, U.S. Magistrate Judge
United States District Court
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street
Trenton, NJ 08608

Re: ***In re: Johnson & Johnson Talcum Powder Prods., Mktg., Sales Practices and Prods. Liability Litig., Case No.: 3:16-md-02738-MAS-RLS***

Dear Judge Singh:

I write on behalf of Defendants Johnson & Johnson and LLT Management LLC (together, "Johnson & Johnson"). On July 19, 2024, the Court entered an Order asking the parties to show cause why it should not adopt the New Jersey State MCL Court's July 19 findings of fact and conclusions of law on Johnson & Johnson's Motion to Disqualify Andy Birchfield and Beasley Allen. *See* Dkt. 32984. The Court's Order required the parties to do so by July 29. *Id.* It also contemplated that the parties would have the opportunity to reply to the opposing side's responses by August 5.

In compliance with the July 29 deadline, Johnson & Johnson filed its response to the Show Cause Order on July 25. *See* Dkt. 33026. In contrast, Beasley Allen elected not to file a substantive response to the Show Cause Order, instead submitting only a short, July 29 letter that referred generally to and stood on its prior briefing. *See* Dkt. 33033. With the Court's permission, Birchfield and Beasley Allen then filed a brief on August 5, addressing the substance of Judge Porto's July 19 findings of fact and conclusions of law for the first time. *See* Dkt. 33065. By waiting until August 5 to substantively address Judge Porto's decision, rather than doing so on July 29, Birchfield and Beasley Allen have left Johnson & Johnson without an opportunity to reply to their substantive brief, which includes assertions that are contradicted by the evidentiary record and directly contrary to the plain text of the New Jersey Rules of Professional Conduct and precedential case law. *Id.*

For these reasons, we respectfully request leave to file a reply to Birchfield's and Beasley Allen's August 5 brief. We ask that the Court permit us to do so on or before August 12.

Respectfully,



Stephen D. Brody

cc: All counsel of record (via ECF)